

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN THE MATTER OF:**

**CHAPTER 13 NO.:  
19-11458**

**ELMO JOHNSON  
DOROTHY J. JOHNSON**

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**MOTION TO IMPOSE THE AUTOMATIC STAY PURSUANT  
TO 11 U.S.C. §362 (C)(4)**

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COMES NOW the Debtors, ELMO JOHNSON and wife, DOROTHY J. JOHNSON, and files this their Motion to Impose the Automatic Stay Pursuant to 11 U.S.C. §362 (c )(4) and would show in support thereof as follows, to-wit:

1. Debtors, ELMO JOHNSON and wife, DOROTHY J. JOHNSON, previously filed the bankruptcy case, 13-14570, under Chapter 13 on October 30, 2013 and was dismissed on October 31, 2018.
2. Debtors, ELMO JOHNSON and wife, DOROTHY J. JOHNSON, are being threatened with a foreclosure of their home.
3. Debtors respectfully request the Court to impose the automatic stay to stop the Foreclosure, which is presently set for Tuesday, April 9, 2019.

WHEREFORE, PREMISES CONSIDERED, the Debtors pray for such other relief as the Court deems to be proper.

RESPECTFULLY SUBMITTED,

/s/ Wallace C. Anderson

ATTORNEY FOR THE DEBTORS, MSB# 1596  
Wallace C. Anderson  
P.O. Box 64  
Olive Branch, Mississippi 38654  
(662) 895-4390

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

**In re: ELMO JOHNSON  
DOROTHY J. JOHNSON**

**CASE NO.: -19-11458  
CHAPTER 13**

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**DECLARATION IN SUPPORT OF MOTION TO IMPOSE  
THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(c)(4)**

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The debtors, ELMO JOHNSON and wife, DOROTHY J. JOHNSON, in support of the MOTION TO IMPOSE THE AUTOMATIC STAY, state as follows:

1. We have personal knowledge of the facts listed in the foregoing situation.
2. We are over the age of 18, of sound mind, are capable of making this

Declaration, and are fully competent to testify to the matters stated herein.

3. I filed a bankruptcy petition on April 3, 2019.
4. We previously filed the following bankruptcy case, 13-14570, under Chapter 13 on October 30, 2013 and was dismissed on October 30, 2018.

5. We have no other pending bankruptcy cases in the preceding one-year period.
6. We have not had any prior cases dismissed in the past year for any of the

following reasons:

- failure to file or amend the petition or other required documents without substantial excuse;
- failure to provide adequate protection as ordered by the Court, or
- failure to perform the terms of a plan confirmed by the Court.

7. We had a substantial change in our financial or personal affairs since the dismissal of the last case, and I believe that this case will result in a confirmed plan that will be fully performed.

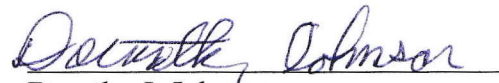
8. The substantial changes are as follows:

Elmo Johnson is now receiving his Social Security check and there shouldn't be any problems to make the payments.

We declare under penalty of perjury that the foregoing is true and correct.

Executed on: 4-3-19, 2019

  
Elmo Johnson

  
Dorothy J. Johnson

CERTIFICATE OF SERVICE

I, Wallace C. Anderson, Attorney for the Debtor(s), ELMO JOHNSON and wife, DOROTHY J. JOHNSON, Case Number 19- hereby certifies that I have mailed a true and correct copy of the Motion to Impose the Automatic Stay and Certificate of Service to each of the following, VIA ECF, to-wit:

U.S. Trustee  
501 East Court Street, Suite 6-430  
Jackson, MS 39201  
USTPRegions05.AB.ECFial,usdog.gov

Honorable Locke D. Barkley  
Chapter 13 Trustee  
6360 I-55 North, Suite 140  
Jackson, MS 39211  
sbeaseleylal,barkley13.com

and, by United States Postal Service, postage pre-paid, to-wit:

Rubin Lublin, LLC, Substitute Trustee  
428 North Lamar Blvd, Suite 107  
Oxford, MS 38655  
Rubinlublin.com/property-listing  
Fax #(404) 601-5846

Witness my signature this 3<sup>rd</sup> day of April , 2019.

/s/ Wallace C. Anderson  
WALLACE C. ANDERSON  
Certifying Attorney